



Atty. Dkt. No. 016891-0859

YTW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yasunori OOKUSHI
Title: SELF-SERVICE SALES MANAGEMENT SYSTEM AND
METHOD, AND ITS PROGRAM
Appl. No.: 10/633,520
Filing Date: 08/05/2003
Examiner: Ouellette, Jonathan P.
Art Unit: 3629
Confirmation Number: 5421

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PT0/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A partial English translation of the Japanese Office Action of December 19, 2006, follows:

Regarding Reason A

Cited Literature 1 describes a fueling facility comprising a means which reads the number of fuelings experienced by the customer and the number of days elapsed since the last fueling from a customer database based on data on a card inserted by the customer, determines the customer's skill level (fueling proficiency) based on the read data, and outputs guidance information according to the given skill level. Here, as indicated in the previous Notification of Reasons for Rejection, adopting an arrangement whereby the customer's skill level is stored in advance in a card and guidance information is output according to the read skill level is not found to entail remarkable technical difficulty. Furthermore, creating and conducting arbitrary tests over the Web (see Cited Literature 2) and updating old data in an IC card based on system side data (if necessary, see Japanese Unexamined Patent Application Publication H11-345263) does not go beyond the well-known art in this technical field.

Therefore, it is found that the arrangements recited in the claims of the present application could have been easily implemented based on the matters describes or suggested by the Cited Literature and the well-known art, and thus Reason for Rejection A has still not been eliminated.

Copies of Cited Literature 1 (JP 11-011269) and Cited Literature 2 (JP 2002-117197) are not provided herein, as these references were submitted with Applicant's Information Disclosure Statement of February 1, 2006.

Applicant's statements regarding the Japanese office action are based on a translation that applicant's representative obtained. These statements should in no way be considered as an agreement by applicant, with or an admission of, what is asserted in the Japanese office action.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.


An English language abstract is provided for the foreign language document. Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.


Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: March 2, 2007

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

By  Reg. No. 59,396

 George C. Beck
Attorney for Applicant
Registration No. 38,072

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/633,520
Date Submitted: March 2, 2007		Filing Date	08/05/2003
(use as many sheets as necessary)		First Named Inventor	Yasunori OOKUSHI
		Art Unit	3629
		Examiner Name	Ouellette, Jonathan P.
		Attorney Docket Number	016891-0859

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Application Document	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	C1	JP 11-011269A	01-19-1999	TOKICO LTD.	Abstract Only	A
	C2	JP 2002-117197A	04-19-2002	NISHI NIHON DENSHIN DENWA KK	Abstract Only	
	C2	JP 11-345263A	12-14-1999	TOKICO LTD.	Abstract Only	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	

Examiner Signature	/Jonathan Ouellette/	Date Considered	04/27/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.